

### III. REMARKS

1. Claims 1-16 are pending. Claims 1, 6 and 11 are amended. Support for the claim amendments can be found at page 5, lines 23-27.

2. It is submitted that claims 1, 6 and 11 comply with the written description requirement under 35 U.S.C. 112, first paragraph because the features recited in claim 1 that a substrate is "located within the cover" and that "the cover also includes a plurality of apertures through which the plurality of pressure transmitters pass to activate the plurality of key switches" are clearly disclosed in the specification as filed. For example, referring to at page 6, lines 3-9, page 7, lines 10-14 and in Figure 4b, page 6, lines 3-9 recites that "[f]ig. 4b is a view of the front cover 302 with the mounted keymat 304 from the opposite side compared to Fig. 4a. A plurality of pressure transmitters 308, one for each key 306 of the keymat 304, protrudes through a plurality of holes 310 in the front cover 302, thereby enabling actuation of a plurality of key switches of a communication device." Page 7, lines 10-14 recites that "[t]he front cover 502 is provided with a plurality of holes 518, 520, 522 to enable pressure transmitters 524, 526, 528 to protrude through the front cover 502 to reach key switches located on a substrate of the communication device". Fig. 4b is a view of the inside of the cover so that the inner surface of the cover, which faces the inside of the device, can be seen. As disclosed in the above passage from the specification the pressure transmitters (308) pass through the cover to the interior of the device (i.e. inside or within the cover) to activate the key switches located on the substrate claimed in claim 1 which is located within the cover. Thus, the added features are fully supported by the specification as filed and are patentable. The above argument applies equally to claims 6 and 11.

3. Claims 1, 4-6, 9-11 and 14-16 are patentable under 35 U.S.C. 103(a) over Sun, U.S. Pub. No. 2003/0153349, Noboru et al., JP 2001-076581 ("Noboru") and Jokinen et al., U.S. Pub. No. 2003/0201983. The combination of Sun, Noboru and Jokinen does not disclose or suggest that the bendable keymat comprises elastic properties that force the lips into the plurality of indentations on the cover as recited by in Applicant's claim 1.

Nowhere does Sun disclose or suggest that the key modules (120, 120a, 120b) are bendable or that elastic properties of the key modules force the lips into the plurality of indentations on the cover to attach the edges of the keymat to the cover as recited in claim 1. The key modules (120, 120a, 120b) of Sun are rigid and are not bendable, which is evidenced by the slot (123) in the base (1262). In Sun the key module (120, 120a, 120b) is inserted into the body (110). During the insertion the tab on the engaging member (113) passes through the slot (123) to allow the key module (120, 120a, 120b) to sit within the body (110) (See e.g. Figs. 4a-4c). The engagement member (113) is then moved leftward and rightward so that the tab of the engagement member engages the locking portion of the slot (123) (Para. [0028]).

Combining Noboru with Sun fails to remedy this defect. Noboru discloses a method for plastically deforming a resin film key top board for a cellular phone which when installed in the phone is located underneath the cover of the phone (Abstract; Figs. 2a-d). Nowhere is it disclosed or suggested in Sun that elastic properties of the bendable keymat force the lips into the plurality of indentations on the cover to attach the edges of the keymat to the cover as recited by in Applicant's claim 1. The key top board in Noboru is not bendable once the key top board is in its final configuration. In Noboru, in manufacturing the key top board, the resin film is placed into a mold cavity that corresponds to the convex push button section of the phone. Heating rods are used to push on the resin film so that the film is plastically deformed so that the film takes the form of the mold giving it its contoured shape. (Para. [0027]-[0028]). There is absolutely no disclosure or suggestion that the key top board of Noboru is bendable in its final state (i.e. after the plastic deformation manufacturing step). Thus, the combination of Sun and Noboru does not disclose or suggest that the bendable keymat comprises elastic properties that force the lips into the plurality of indentations on the cover.

Jokinen also fails to disclose or suggest that the bendable keymat comprises elastic properties that force the lips into the plurality of indentations on the cover. The keymat of Jokinen is held in place by recesses in the key pins (315). These key pins (315) are inserted into holes (341, 241) located in the front cover of the phone where a

circumferential lip (314) on the key pin (315) engages the interior surface (321) of front cover (320) proximate to opening (341, 241) (paragraph [0035]; Fig. 3c). The edges of the keymat in Jokinen do not have any lips that hold the edges of the keymat to the cover (320). Rather, the edges of the keymat in Jokinen freely sit against the surface of the cover (320) (Figs. 3b, 4e and 5d). Thus, the combination of Sun, Noboru and Jokinen does not disclose or suggest that the bendable keymat comprises elastic properties that force the lips into the plurality of indentations on the cover as recited in Applicant's claim 1. Claims 6 and 11 are patentable for reasons similar to those described above with respect to claim 1. Claims 4, 5, 9, 10 and 14-16 are patentable at least by reason of their respective dependencies.

Moreover, it is respectfully submitted that there is no legal motivation to combine Sun, Noboru and Jokinen to arrive at what is claimed by Applicant. In order to establish a *prima facie* case of obviousness under 35 U.S.C. 103(a), there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. There must also be a reasonable expectation of success, and the reference(s), when combined, must teach or suggest all of the claim limitations. (See M.P.E.P. § 2142). As noted above, the combination of Sun, Noboru and Jokinen does not disclose or suggest each feature of Applicant's claims. Thus, a *prima facie* case of obviousness cannot be established.

Neither Sun, Noboru nor Jokinen provide any suggestion or motivation to be combined or modified as proposed by the Examiner and the Examiner's proposition that Applicant's invention would be obvious as recited in the claims is not supported by the factual contents of Sun, Noboru and Jokinen.

Sun discloses rigid key modules (120, 120a, 120b). In Sun the key module (120, 120a, 120b) is inserted into the body (110). During the insertion the tab on the engaging member (113) passes through the slot (123) to allow the key module (120, 120a, 120b) to sit within the body (110) (See e.g. Figs. 4a-4c). The engagement member (113) is

then moved leftward and rightward so that the tab of the engagement member engages the locking portion of the slot (123) (Para. [0028]).

Noboru only discloses a manufacturing method for plastically deforming a film key top board so that the key top board takes on the contour of the inside of the cover of the phone (Abstract; Para. [0027]-[0028]).

Jokinen discloses a keymat that is held in place by recesses in the key pins (315). These key pins (315) are inserted into holes (341, 241) located in the front cover of the phone where a circumferential lip (314) on the key pin (315) engages the interior surface (321) of front cover (320) proximate to opening (341, 241) (paragraph [0035]; Fig. 3c). The edges of the keymat in Jokinen do not have any lips that hold the edges of the keymat to the cover (320). Rather, the edges of the keymat in Jokinen freely sit against the surface of the cover (320) (Figs. 3b, 4e and 5d).

If, Sun, Noboru and Jokinen were combined the result would be the rigid key module of Sun that is plastically deformed to take the shape of the phone's cover by the method of Noboru and held in place by the key pins of Jokinen. One skilled in the art would not be motivated to combine these references to arrive at what is claimed by Applicant without the use of hindsight reasoning.

When "the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference". In re Rijckaert, 28 USPQ2d 1955, 1057 (Fed. Cir. 1993). The Examiner is requested to provide an indication as to where any such teaching, suggestion or motivation appears in the reference. Absent such a teaching, it is submitted that a *prima facie* case of obviousness over Sun, Noboru and Jokinen under 35 U.S.C. 103(a) is not established.

Further, claim 4 recites that the keymat comprises one or more guiding recesses, and said cover comprises one or more corresponding guide pieces. The Examiner argues that this feature is disclosed in paragraphs [0029], [0032]-[0033] of Sun. However, all that these cited paragraphs disclose is the attachment method of the key modules (120,

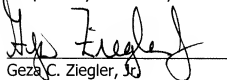
120a, 120b). Paragraph [0029] merely discloses that only one key module can be attached to the body (110) at a time and that the key modules are replaceable. Paragraph [0032] and [0033] disclose that the key modules are electrically coupled to the body (110) and that the key module is fixedly disposed on the body (110) by the engaging member (113) engaging with the slot (123) and the protrusions (124) inserting into the holes (114). The slot (123) and engaging member (113) of Sun do not guide anything. Paragraph [0032], lines 7-10 of Sun recite "the key module 120, 120a, 120b is fixedly disposed on the body 110 by the engaging member 113 engaging with the slot 123 and the protrusions 124 inserting into the holes 114". In Sun the slot (123) and engaging member (113) are disclosed as fixing the key module (120, 120a, 120b) to the body (110) and nothing more. Nowhere does Sun disclose or suggest that the keymat comprises one or more guiding recesses, and said cover comprises one or more corresponding guide pieces. Thus, claim 4 is patentable. This argument applies equally to claims 5, 9, 10, 14 and 15.

4. Claims 2-3, 7-8 and 12-13 are patentable under 35 U.S.C. 103(a) over Sun, Noboru, Jokinen and Kfoury et al., U.S. Pub. No. 2003/0119543 ("Kfoury"). For the reasons described above, the combination of Sun, Noboru and Jokinen fail to disclose or suggest all the features of claims 1, 6 and 11. Thus, it is submitted that the combination of Sun, Noboru, Jokinen and Kfoury cannot as well. Therefore, claims 2-3, 7-8 and 12-13 are patentable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Geza C. Ziegler, Jr.  
Reg. No. 44,004

11 Dec 2006  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

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Jessica Pace  
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